IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10697 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any JJJJJ : NO

JJJJJ

Rule. Mr.B.Y.Mankad, learned Assistant Government Pleader waives service of the rule for respondent no.1.

This petition under Articles 226 and 227 of the Constitution of India is directed against the judgment and order dated 29.12.1997 passed by the Urban Land Ceiling Tribunal in Appeal No.8 of 1997 confirming the order passed by the Competent Authority in ULC Case No.139 of 1987 declaring the land in question to be surplus. On behalf of the respondents the Competent Authority and Additional Collector, ULC, Surat has today filed the affidavit stating that notification as per Sections 10(1) and 10(3) has not been published in Government gazette and the possession of the land in question has not been taken over by the Government. In view of this, proviso to Section 4 of the Urban Land (Ceiling And Regulation) Repeal Act,1999 will not apply and hence, in view of the provison contained in Section 4 to the effect that all proceedings relating to any order made or purported to be made under the principal Act, pending immediately before the commencement of this Act, shall abate, the present petition does not survive and is disposed of as having abated. Rule discharged.

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m.m.bhatt